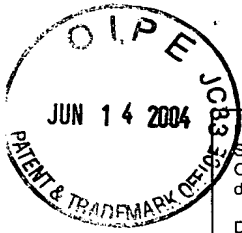
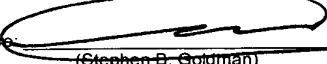


IFW



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Dated: June 10, 2004 Signature: 
(Stephen B. Goldman)

Docket No.: OSTEONICS 3.0-449
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Cusick et al.

Application No.: 10/766,789

Group Art Unit: N/A

Filed: January 27, 2004

Examiner: Not Yet Assigned

For: APPARATUS FOR ALIGNING AN
INSTRUMENT DURING A SURGICAL
PROCEDURE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

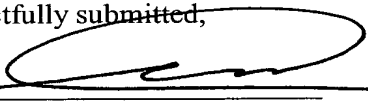
Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. In accordance with the notice at 1276 O.G. 55, copies of U.S. patent and U.S. patent publication references are not enclosed herewith; copies of other references are submitted herewith. A copy of the European Search Report in a co-pending related application is also enclosed herewith. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: June 10, 2004

Respectfully submitted,

By 
Stephen B. Goldman
Registration No.: 28,512
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/766,789
				Filing Date	January 27, 2004
				First Named Inventor	Michael J. Cusick
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	OSTEONICS 3.0-449

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-4,952,213-A1	08-28-1990	Bowman Jerald A, et al.	
	AB	US-5,364,401-A1	11-15-1994	Ferrante, Joseh M., et al.	
	AC	US-5,342,368-A1	08-30-1994	Pettersen, Thomas D.	
	AD	US-5,681,316-A1	10-28-1997	DeOrio et al.	
	AE	US-6,090,114-A1	07-18-2000	Matsuno et al.	
	AF	US-5,788,700-A1	08-04-1998	Morawa et al.	
	AG	US-4,892,093-A1	01-09-1990	Zarnowski et al.	
	AH	US-6,685,711	02-03-2004	Axelson Jr., et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AA	European Search Report in re: Application No. 04250551, dated May 14, 2004	
	AB		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.
495195_1.DOC

Examiner Signature	Date Considered
-----------------------	--------------------